

Ripe 7/16/21

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

PEDRO P. ALVARADO,

Plaintiff,

v.

Case No: 6:20-cv-1642-GKS-LRH

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

REPORT AND RECOMMENDATION

TO THE UNITED STATES DISTRICT COURT:

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: UNOPPOSED MOTION FOR ENTRY OF JUDGMENT
WITH REMAND (Doc. 21)**

FILED: June 29, 2021

THEREON it is RECOMMENDED that the motion be GRANTED.

The Commissioner of Social Security moves to remand this case pursuant to sentence four of 42 U.S.C. § 405(g), so that the following may occur:

The Appeals Council will direct the Administrative Law Judge to reconsider Plaintiff's maximum residual functional capacity, reconsider the opinion evidence from Dr. Syad Zaidi under the new medical source regulations (20 C.F.R. § 404.1520c), reconsider the prior administrative medical findings under the new medical evidence regulations (20 C.F.R. § 404.1520c), and take any further action necessary to complete the record. This may include a hearing on remand and will require the issuance of a new decision.

(Doc. 21, at 1). Plaintiff does not oppose the motion. (*Id.*). Upon consideration, the undersigned finds the request well taken.

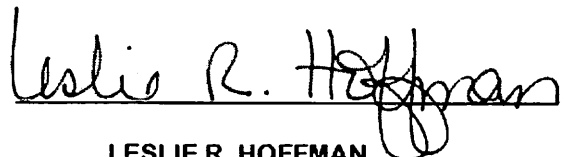
Accordingly, it is **RESPECTFULLY RECOMMENDED** that the Court:

1. **GRANT** the Commissioner's Unopposed Motion for Entry of Judgment with Remand (Doc. 21);
2. **REVERSE** and **REMAND** the final decision of the Commissioner for further proceedings pursuant to sentence four of § 405(g) for the above-stated reason; and
3. **DIRECT** the Clerk of Court to enter judgment in favor of Plaintiff and against the Commissioner, and thereafter **CLOSE** this case.

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. See 11th Cir. R. 3-1.

Recommended in Orlando, Florida on July 1, 2021.



LESLIE R. HOFFMAN
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Presiding District Judge
Counsel of Record